

Vickers Charles R. (DNREC)

Received

From: legalw@aol.com
Sent: Friday, May 05, 2006 8:27 AM
To: Vickers Charles R. (DNREC)
Subject: Fwd: Delivery Status Notification (Failure)
Attachments: Letter_to_DNREC.pdf

MAY 05 2006

Division of Parks & Recreation
Director's Office

Attached Message

From: legalw@aol.com
To: Charlesvickers@state.de.us
Subject: Linden Hill Farm LP
Date: Fri, 05 May 2006 08:22:33 -0400
Please see my attached letter.

Jeffrey M. Weiner, Esq.
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LegalW@aol.com (email)

5/5/2006

THE LAW OFFICES OF JEFFREY M. WEINER
A PROFESSIONAL ASSOCIATION

Received

May 4, 2006

VIA E-MAIL CharlesVickers@state.de.us

MAY 05 2006

Delaware Department of Natural Resources
and Environmental Control
Attention: Mr. Charles Vickers

Division of Parks & Recreation
Directors Office

Re: Linden Hill Farm LP (Tax Parcel #1202700003)

Dear Mr. Vickers:

I represent Linden Hill Farm LP. The purpose of this letter is to reiterate the comments made heretofore to the Open Space Council by Ed Lester, Jr. Please acknowledge receipt of this letter by return electronic mail.

First, Linden Hill Farm LP objects to any inclusion of this 142.32-acre parcel in any State Resource Area and, to the extent that the farm may have already been so designated, any failure to remove this farm from such designation which was undertaken without the express written consent of Linden Hill Farm LP.

Second, to the extent that the Open Space Council and/or the State of Delaware, despite the express objection of the Linden Hill Farm LP, includes or continues to include this farm in any State Resource Area, Linden Hill Farm LP reserves any and all rights against the State of Delaware, the Open Space Council and its members, including without limitation for a partial taking as a result of any adverse consequences that flow therefrom.

While the limited partners of Linden Hill Farm LP support the protection and preservation of open space, doing so should only be accomplished by the State or others purchasing at fair market value privately-held land, and not by adversely impacting upon the property rights of others.

Should there be any aspect of the position of Linden Hill Farm LP that requires further explanation, please consult with legal counsel of your choice and/or have counsel for the State and/or Open Space Council contact the undersigned attorney.

Very truly yours,


Jeffrey M. Weiner

JMW/sls
#46057-2

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Division of Parks & Recreation
Directors Office

cc: Kenneth Lester
Ed Lester, Jr.